

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

MELVIN LOWE,

Plaintiff,

-vs-

MONTGOMERY COUNTY BOARD OF  
EDUCATION, *et al.*,

Defendants.

RECEIVED

2005 MAY 25

Case No. CV 2005-1048  
DEBRA P. HACKETT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

**NOTICE OF FILING NOTICE OF REMOVAL**


TO: Honorable Melissa Rittenour  
Clerk of the Court  
Montgomery County Courthouse  
250 South Lawrence Street  
Montgomery, Alabama 36104

2005 MAY 25 PM 3:42

NOTICE IS HEREBY GIVEN that, pursuant to provisions of 28 U.S.C. §§ 1441 and 1331, the Defendants, Montgomery County Board of Education, Vickie Jernigan, Mark LaBranche, Tommie Miller, Mary Briers, Dave Borden, Henry A. Spears, Beverly Ross and Dr. Carlinda Purcell, have on the 25<sup>th</sup> day of May, 2005, filed in the District Court of the United States for the Middle District of Alabama, Northern Division, a Notice of Removal for Case CV-05-1048, from the Circuit Court of Montgomery, Alabama to the District Court of the United States for the Middle District of Alabama, Northern Division. A copy of the Notice of Removal is attached hereto.

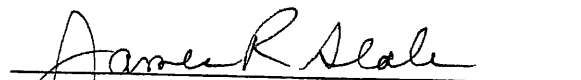
DONE THIS 25<sup>th</sup> day of May, 2005.

MONTGOMERY COUNTY BOARD OF  
EDUCATION, VICKIE JERNIGAN, MARK  
LABRANCHE, TOMMIE MILLER, MARY  
BRIERS, DAVE BORDEN, HENRY A.  
SPEARS, BEVERLY ROSS and  
DR. CARLINDA PURCELL, Defendants,

By:   
James R. Seale (SEA006)  
HILL, HILL, CARTER,  
FRANCO, COLE & BLACK, P.C.  
Post Office Box 116  
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(334) 263-5969 - fax  
E-mail: jrs@hillhillcarter.com  
Counsel for Defendants  
wwm/6630.0157/f:Notice of Removal-Circuit Court.wpd

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served a true and correct copy of the foregoing *Notice of Filing Notice of Removal* upon William F. Patty, Esquire, Beers, Anderson, Jackson, Patty & Van Heest P.C., Post Office Box 1988, Montgomery, Alabama 36102-1988; by placing same in the United States Mail, postage prepaid and properly addressed this the 25<sup>th</sup> day of May, 2005.

  
James R. Seale